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IRIS Y. MARTINEZ
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Exhibit A

RDA/mcl 6.2.22
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ATTORNEY NO. 46715

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT * LAW DIVISION**

PHYLLIS HATCHER,)
)
 Plaintiff,)
)
vs.)
)
HIGHLAND PARK CVS, LLC,)
d/b/a CVS PHARMACY #8508,)
CVS PHARMACY, INC.,)
and UNKNOWN CVS)
PHARMACY EMPLOYEE)
)
 Defendants.)

Case No.: 2022L004999

COMPLAINT AT LAW

NOW COMES the Plaintiff, PHYLLIS HATCHER, by and through her attorneys, LAW OFFICE OF DANIEL E GOODMAN, LLC, who complain of the Defendants, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, CVS PHARMACY, INC., and UNKNOWN CVS PHARMACY EMPLOYEE, individually and as agent of CVS PHARMACY, INC., as follows:

**COUNT I – NEGLIGENCE VS. HIGHLAND PARK CVS, LLC d/b/a
CVS PHARMACY #8508**

1. On or about June 8, 2020, and at all times relevant, the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, operated, owned, managed, controlled and/or possessed a building and surrounding land located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois.
2. At the time and place aforesaid the Plaintiff, PHYLLIS HATCHER, was lawfully

upon the premises located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois as a patron.

3. At the time and place aforesaid, an employee and/or agent of the Defendant was then and there maneuvering an inventory cart within the scope of his agency and with the permission of the Defendant, CVS PHARMACY, INC., in a negligent manner.

4. As a result of the manner in which the employee and/or agent of the Defendant was then and there maneuvering the inventory cart, it came into contact with the body of the Plaintiff, PHYLLIS HATCHER, with great force, which resulted in Plaintiff, PHYLLIS HATCHER, falling to the ground.

5. At the time and place aforesaid, the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, by and through its employees and agents, had a duty to exercise ordinary care in the ownership, control, operations, and maintenance of the aforesaid premises so that patrons, including the Plaintiff, PHYLLIS HATCHER, were not injured.

6. That at the time and place aforesaid, the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, by and through its employees and agents breached the aforesaid duty when the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, carelessly and negligently did the following acts and/or omissions:

- a. Carelessly and negligently maintained, possessed, operated, managed, and/or controlled said premises so that as a direct and proximate result thereof, Plaintiff, PHYLLIS HATCHER, was injured;
- b. Carelessly and negligently allowed its employee and/or agent to maneuver an inventory cart without being able to ascertain their surroundings to first ensure it was safe to do so;
- c. Carelessly and negligently allowed its employee and/or agent to maneuver an inventory cart in an area where customers, including Plaintiff, PHYLLIS HATCHER, were present;
- d. Carelessly and negligently failed to warn persons walking upon said premises, including the Plaintiff, PHYLLIS HATCHER, when it should have known that said failure was likely to result in injury to persons nearby

- where the inventory cart was being maneuvered, including Plaintiff, PHYLLIS HATCHER; and
- e. Otherwise carelessly and negligently maintained, possessed, managed, operated and/or controlled said premises.

7. That as a direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, the Plaintiff, PHYLLIS HATCHER, was severely and permanently injured both internally and externally, and suffered a severe shock to her nervous system, and bruises, contusions, and lacerations to her body, and became and was sick and disabled, and suffered, and will in the future suffer, great pains, discomfort and physical impairment, all of which injuries are permanent; and she has lost and will in the future lose other great gains which she otherwise would have made and acquired; and she has been kept and will be kept from attending to his ordinary affairs and duties, and has become liable for large sums of money for medical and hospital care and attention.

WHEREFORE the Plaintiff, PHYLLIS HATCHER, prays for judgment against the Defendant, HIGHLAND PARK CVS, LLC d/b/a CVS PHARMACY #8508, in a sum greater than Fifty Thousand Dollars (\$50,000.00), as will fairly and adequately compensate her for her injuries and damages together with her costs in bringing this suit.

COUNT II – NEGLIGENCE VS. CVS PHARMACY, INC.

1. On or about June 8, 2020, and at all times relevant, the Defendant, CVS PHARMACY, INC., operated, owned, managed, controlled and/or possessed a building and surrounding land located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois.

2. At the time and place aforesaid the Plaintiff, PHYLLIS HATCHER, was lawfully upon the premises located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois as a patron.

3. At the time and place aforesaid, an employee and/or agent of the Defendant was then and there maneuvering an inventory cart within the scope of his agency and with the permission of the Defendant, CVS PHARMACY, INC., in a negligent manner.

4. As a result of the manner in which the employee and/or agent of the Defendant was then and there maneuvering the inventory cart, it came into contact with the body of the Plaintiff, PHYLLIS HATCHER, with great force, which resulted in Plaintiff, PHYLLIS HATCHER, falling to the ground.

5. At the time and place aforesaid, the Defendant, CVS PHARMACY, INC., by and through its employees and agents, had a duty to exercise ordinary care in the ownership, control, operations, and maintenance of the aforesaid premises so that patrons, including the Plaintiff, PHYLLIS HATCHER, were not injured.

6. That at the time and place aforesaid, the Defendant CVS PHARMACY, INC., by and through its employees and agents breached the aforesaid duty when the Defendant, CVS PHARMACY, INC., carelessly and negligently did the following acts and/or omissions:

- a. Carelessly and negligently maintained, possessed, operated, managed, and/or controlled said premises so that as a direct and proximate result thereof, Plaintiff, PHYLLIS HATCHER, was injured;
- b. Carelessly and negligently allowed its employee and/or agent to maneuver an inventory cart without being able to ascertain their surroundings to first ensure it was safe to do so;
- c. Carelessly and negligently allowed its employee and/or agent to maneuver an inventory cart in an area where customers, including Plaintiff, PHYLLIS HATCHER, were present;
- d. Carelessly and negligently failed to warn persons walking upon said premises, including the Plaintiff, PHYLLIS HATCHER, when it should have known that said failure was likely to result in injury to persons nearby where the inventory cart was being maneuvered, including Plaintiff, PHYLLIS HATCHER; and
- e. Otherwise carelessly and negligently maintained, possessed, managed, operated and/or controlled said premises.

7. That as a direct and proximate result of one or more of the aforesaid wrongful acts or

omissions of the Defendant, CVS PHARMACY, INC., the Plaintiff, PHYLLIS HATCHER, was severely and permanently injured both internally and externally, and suffered a severe shock to her nervous system, and bruises, contusions, and lacerations to her body, and became and was sick and disabled, and suffered, and will in the future suffer, great pains, discomfort and physical impairment, all of which injuries are permanent; and she has lost and will in the future lose other great gains which she otherwise would have made and acquired; and she has been kept and will be kept from attending to his ordinary affairs and duties, and has become liable for large sums of money for medical and hospital care and attention.

WHEREFORE the Plaintiff, PHYLLIS HATCHER, prays judgment against the Defendant, CVS PHARMACY, INC., in a sum greater than Fifty Thousand Dollars (\$50,000.00), as will fairly and adequately compensate her for her injuries and damages together with her costs in bringing this suit.

**COUNT III – NEGLIGENCE VS. UNKNOWN CVS PHARMACY EMPLOYEE,
individually and as agent of CVS PHARMACY, INC.**

1. On or about June 8, 2020, and at all times relevant, the Defendant, CVS PHARMACY, INC., operated, managed, controlled and/or possessed a building and surrounding land located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois.

2. At the time and place aforesaid the Plaintiff, PHYLLIS HATCHER, was lawfully upon the premises located at 3156 W. 103rd Street, in the City of Chicago, County of Cook, and State of Illinois as a patron.

3. At the time and place aforesaid, an employee and/or agent of the Defendant was then and there maneuvering an inventory cart within the scope of his agency and with the permission of the Defendant, CVS PHARMACY, INC., in a negligent manner.

4. As a result of the manner in which the employee and/or agent of the Defendant was

then and there maneuvering the inventory cart, it came into contact with the body of the Plaintiff, PHYLLIS HATCHER, with great force, which resulted in Plaintiff, PHYLLIS HATCHER, falling to the ground.

5. At the time and place aforesaid, the Defendant, UNKNOWN EMPLOYEE, individually and as agent of CVS PHARMACY, INC., had a duty to exercise ordinary care in their operations upon the aforesaid premises so that patrons, including the Plaintiff, PHYLLIS HATCHER, were not injured.

6. That at the time and place aforesaid, the Defendant UNKNOWN EMPLOYEE, individually and as agent of CVS PHARMACY, INC., breached their aforesaid duty when the Defendant, UNKNOWN EMPLOYEE, individually and as agent of CVS PHARMACY, INC., carelessly and negligently did the following acts and/or omissions:

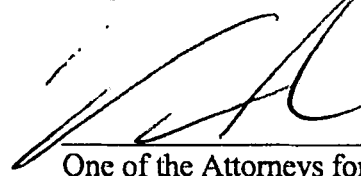
- a. Carelessly and negligently operated and/or acted upon said premises so that as a direct and proximate result of their operations and/or actions thereupon, Plaintiff, PHYLLIS HATCHER, was injured;
- b. Carelessly and negligently maneuvered an inventory cart without being able to ascertain their surroundings to first ensure it was safe to do so;
- c. Carelessly and negligently failed to warn persons walking upon said premises, including the Plaintiff, PHYLLIS HATCHER, when they should have known that said failure was likely to result in injury to persons nearby where the inventory cart was being maneuvered, including Plaintiff, PHYLLIS HATCHER; and
- d. Otherwise carelessly and negligently operated and/or acted upon said premises.

7. That as a direct and proximate result of one or more of the aforesaid wrongful acts or omissions of the Defendant, UNKNOWN EMPLOYEE, individually and as agent of HIGHLAND PARK CVS, LLC, the Plaintiff, PHYLLIS HATCHER, was severely and permanently injured both internally and externally, and suffered a severe shock to her nervous system, and bruises, contusions, and lacerations to her body, and became and was sick and disabled, and suffered, and will in the future suffer, great pains, discomfort and physical impairment, all of which injuries are permanent; and she

has lost and will in the future lose other great gains which she otherwise would have made and acquired; and she has been kept and will be kept from attending to his ordinary affairs and duties, and has become liable for large sums of money for medical and hospital care and attention.

WHEREFORE the Plaintiff, PHYLLIS HATCHER, prays judgment against the Defendant, UNKNOWN CVS EMPLOYEE, individually and as agent of HIGHLAND PARK CVS, LLC, in a sum greater than Fifty Thousand Dollars (\$50,000.00), as will fairly and adequately compensate her for her injuries and damages together with her costs in bringing this suit.

Respectfully Submitted,



One of the Attorneys for the Plaintiff,
PHYLLIS HATCHER.

Robert D. Ayres
Attorney for the Plaintiff
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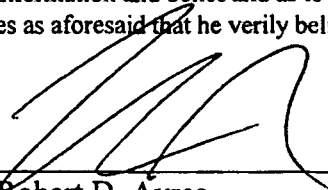
PHYLLIS HATCHER,)
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Plaintiff,)
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vs.)
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HIGHLAND PARK CVS, LLC,)
d/b/a CVS PHARMACY #8508,)
CVS PHARMACY, INC.,)
and UNKNOWN CVS)
PHARMACY EMPLOYEE)
)
Defendants.)

Case No. 2022L004999

SUPREME COURT RULE 222(b) AFFIDAVIT

Robert D. Ayres of the Law Office of Daniel E Goodman, LLC, one of the attorneys for the Plaintiff herein, certifies that the total amount of money damages that Plaintiff, PHYLLIS HATCHER, seeks in this matter exceeds \$50,000.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.


Robert D. Ayres
ATTORNEY FOR PLAINTIFF

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